

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL MEMORANDUM

HB 2249 – SB 2236

May 11, 2009

SUMMARY OF AMENDMENT (007791): Deletes the language of the original bill; requires the courts to report certain information to the Tennessee Bureau of Investigation (TBI) and the Department of Safety (DOS) concerning persons who have been committed to mental institutions or that have been adjudicated as mental defectives by the courts; requires reported information to be confidential and not open to the public; creates a Class C misdemeanor for disclosing to the public certain reported information; prohibits individuals who have been committed to mental institutions or that have been adjudicated as mental defectives by the courts from being able to purchase a handgun or from obtaining a handgun carry permit; authorizes TBI and DOS to promulgate rules and regulations.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Not Significant

Increase Local Expenditures – Not Significant

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Revenue – Not Significant

**Increase State Expenditures – \$7,000/One-Time
\$64,800/Recurring**

Increase Local Revenue – Not Significant

**Increase Local Expenditures –
Exceeds \$105,000/FY09-10*
Exceeds \$150,000/FY10-11 and Succeeding Years***

Assumptions applied to amendment:

- Based on information provided by DOS, the provisions of this bill as amended which are related to the Department can be accomplished with existing resources and without an additional appropriation of state funds or a reduced reversion.
- According to TBI, this bill will increase administrative work substantially requiring one additional position. The associated increase to recurring

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state expenditures is estimated to be \$64,800 per year (\$39,600 salary \$20,400 benefits, \$4,800 other). One-time state expenditures associated with the additional position is estimated to be \$4,000 (computer, software, communications, etc.).

- An additional increase to one-time state expenditures for computer programming system changes at TBI estimated to be \$3,000.
- According to the Department of Mental Health and Developmental Disabilities, this bill as amended should not have a fiscal impact upon the Department.
- According to the Department of Health, this bill as amended will have no fiscal impact on the Department.
- There will be an increase to local government expenditures as a result of additional reporting requirements. New forms used for identifying the required information will have to be developed and maintained. Some local governments will have to hire additional clerks for meeting all of the required reporting provisions.
- It is unknown the total number of additional clerks that will be required statewide. However, the increase to recurring local government expenditures as a result of hiring additional clerks is reasonably estimated to exceed \$150,000 per year.
- One-time local government expenditures for form development and for computers, software, and other equipment that will be utilized by the additional clerks are reasonably estimated to exceed \$30,000.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- The first-year impact is estimated at 50 percent of first full-year impact due to the January 1, 2010 effective date. Therefore, the increase to local government expenditures for FY09-10 is estimated to exceed \$105,000 (\$30,000 one-time + (\$150,000 x 50%) = \$105,000).

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/rnc